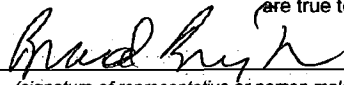


UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 32-CA-231690	Date Filed 11-21-2018

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Tesla, Inc	b. Tel. No. 510-249-3650
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 45500 Fremont, CA	e. Employer Representative Kevin Kassekert
	g. e-mail
	h. Number of workers employed 10,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory	j. Identify principal product or service Automotive Manufacturing
<p>The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p>	
<p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the last six months, the above-named Employer has violated the National Labor Relations Act by instructing employees to remove union-related stickers and other union-related apparel even though such stickers and apparel comply with the Employer's "Personal Appearance" and "Team Wear" policies.</p>	
<p>3. Full name of party filing charge (if labor organization, give full name, including local name and number) International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW</p>	
4a. Address (Street and number, city, state, and ZIP code) 8000 E. Jefferson Ave Detroit, MI 48214	<p>4b. Tel. No. 313-926-5461</p> <p>4c. Cell No.</p> <p>4d. Fax No. 313-926-4405</p> <p>4e. e-mail bbingham@uaw.net</p>
<p>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)</p>	
<p>6. DECLARATION</p> <p>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.</p> <p> Brad Bingham, International Rep (signature of representative or person making charge) (Print/type name and title or office, if any)</p> <p>8000 E. Jefferson Ave Detroit, MI 48214 Address</p> <p>11-20-18 Date</p>	
<p>Tel. No. 423-383-7154</p> <p>Office, if any, Cell No.</p> <p>Fax No. 313-926-4405</p> <p>e-mail bbingham@uaw.net</p>	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 32  
1301 Clay St Ste 300N  
Oakland, CA 94612-5224

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (510)637-3300  
Fax: (510)637-3315



Download  
NLRB  
Mobile App

November 28, 2018

BRAD BINGHAM, UNION REP.  
UNITED AUTOMOBILE, AEROSPACE  
AND AGRICULETRAL IMPLEMENT WORKERS  
OF AMERICA, UAW  
8000 E. JEFFERSON AVENUE  
DETROIT, MI 48214

**Re: Tesla, Inc.**  
**Case 32-CA-231690**

Dear Mr. Bingham:

The charge that you filed in this case on November 21, 2018 has been docketed as case number 32-CA-231690. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney LELIA GOMEZ whose telephone number is (510)671-3022. If this Board agent is not available, you may contact Supervisory Attorney CATHERINE VENTOLA whose telephone number is (510)671-3049.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, [www.nlrb.gov](http://www.nlrb.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Valerie Hardy-Mahoney". The signature is written in a cursive, flowing style.

Valerie Hardy-Mahoney  
Regional Director

cc: HENRY M. WILLIS, ATTORNEY AT LAW  
SCHWARTZ, STEINSAPIR, DOHRMANN  
& SOMMERS LLP  
6300 WILSHIRE BOULEVARD, SUITE 2000  
LOS ANGELES, CA 90048

Copy of charge only sent to:

JEFFREY D. SODKO, ESQ.  
INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA  
8000 E. JEFFERSON AVENUE  
DETROIT, MI 48214



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 32  
1301 Clay St Ste 300N  
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Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (510)637-3300  
Fax: (510)637-3315



Download  
NLRB  
Mobile App

November 28, 2018

KEVIN KASSEKERT  
TESLA, INC.  
45500 FREMONT BLVD.  
FREMONT, CA 94538

**Re: Tesla, Inc.**  
**Case 32-CA-231690**

Dear Mr. Kassekert:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney LELIA GOMEZ whose telephone number is (510)671-3022. If this Board agent is not available, you may contact Supervisory Attorney CATHERINE VENTOLA whose telephone number is (510)671-3049.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Valerie Hardy-Mahoney". The signature is written in a cursive, flowing style.

Valerie Hardy-Mahoney  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: KEAHN N. MORRIS, ESQ.  
SHEPPARD MULLIN RICHTER & HAMPTON LLP  
4 EMBARCADEO CENTER, 17TH FLOOR  
SAN FRANCISCO, CA 94111

MARK S. ROSS, ESQ.  
SHEPPARD MULLIN  
4 EMBARCADERO CENTER, 17TH FLOOR  
SAN FRANCISCO, CA 94111

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

32-CA-231690

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**TESLA, INC.**

Charged Party

and

**INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE &  
AGRICULTURAL IMPLEMENT WORKERS OF  
AMERICA (UAW)**

Charging Party

**Case 32-CA-231690**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 28, 2018, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

KEVIN KASSEKERT  
TESLA, INC.  
45500 FREMONT BLVD.  
FREMONT, CA 94538

KEAHN N. MORRIS, ESQ.  
SHEPPARD MULLIN RICHTER & HAMPTON LLP  
4 EMBARCADEO CENTER, 17TH FLOOR  
SAN FRANCISCO, CA 94111

MARK S. ROSS, ESQ.  
SHEPPARD MULLIN  
4 EMBARCADERO CENTER, 17TH FLOOR  
SAN FRANCISCO, CA 94111

November 28, 2018

Date

Ida Lam, Designated Agent of NLRB

Name

/s/ Ida Lam

Signature

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
SETTLEMENT AGREEMENT

**IN THE MATTER OF**  
**Tesla, Inc.**

**Case 32-CA-231690**

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

**POSTING OF NOTICE** — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them on bulletin boards in all cafés and satellite break rooms (totaling 20 locations) at the Charged Party's facility located at 45500 Fremont Blvd., CA, 94538. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

**READING OF NOTICE**—The Charged Party will hold a meeting or meetings, during which Supervisor Houston Burton and Supervisor Salina Cavazos will read the Notice in English to the Production Associate employees that they supervise and are employed at the Charged Party's facility located at 45500 Fremont Blvd., CA, 94538. The reading will take place at a time when the Charged Party would customarily hold meetings and must be completed prior to the completion of the 60-day Notice posting period.

**PRODUCTION SUPERVISOR TRAINING**—The Charged Party will hold training for Supervisors of Production Associate employees who are employed at the Charged Party's facility located at 45500 Fremont Blvd., CA, 94538, during which the Charged Party will educate Production Supervisors on the rights employees enjoy under Section 7 of the National Labor Relations Act, including the right to wear Union-sponsored stickers at the Charged Party's facility. The training may take place at a time when the Charged Party would customarily hold trainings for Production Supervisors and must be completed prior to the completion of the 60-day Notice posting period.

**NON-ADMISSION CLAUSE** — By entering into this Settlement Agreement, the Charged Party does not admit that it has violated the National Labor Relations Act.

**COMPLIANCE WITH NOTICE** — The Charged Party will comply with all the terms and provisions of said Notice.

**SCOPE OF THE AGREEMENT** — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

The Charged Party further agrees that this Agreement does not carry any precedential value, and thus the Charged Party agrees to not rely on this Agreement in any pending and/or future litigation in seeking a similar and/or reduced remedy, and/or to argue that an Intranet posting and/or emailing the Notice is not required.

**PARTIES TO THE AGREEMENT** — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

**AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY** — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes \_\_\_\_\_ No \_\_\_\_/s/ KK\_\_\_\_  
Initials Initials

**PERFORMANCE** — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices.

**NOTIFICATION OF COMPLIANCE** — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

<b>Charged Party</b> <b>Tesla, Inc.</b>	<b>Charging Party</b> <b>INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE &amp; AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)</b>
By:            Name and Title                      Date	By:            Name and Title                      Date
/s/ Kevin Kassekert                      3/8/19	/s/ Bradley Scott Bingham                      3-11-19
Print Name and Title below Kevin Kassekert VP, People & Places	Print Name and Title below UAW International Rep

Recommended By:

Date

/s/ Lelia M. Gomez

3/12/19

Field Attorney

Approved By:

Date

/s/ Valerie Hardy-Mahoney 3/12/2019

Regional Director, Region

(To be printed and posted on official Board notice form)

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** interfere with restrain or coerce you in the exercise of the above rights.

**WE WILL NOT** tell you that you cannot wear Union stickers, order you to remove Union stickers from your clothing, or otherwise prohibit you from wearing Union stickers at our facility.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**Tesla, Inc.**

\_\_\_\_\_  
(Employer)

**Dated:** 3/8/19

**By:** /s/ Kevin Kassekert

VP, People & Places

\_\_\_\_\_  
(Representative)

\_\_\_\_\_  
(Title)

---

*The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.*

**Telephone:**

**Hours of Operation:**

---

**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.



# NOTICE TO EMPLOYEES



POSTED PURSUANT TO A SETTLEMENT AGREEMENT  
APPROVED BY A REGIONAL DIRECTOR OF THE  
NATIONAL LABOR RELATIONS BOARD  
AN AGENCY OF THE UNITED STATES GOVERNMENT

**Case: 32-CA-231690**

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** interfere with restrain or coerce you in the exercise of the above rights.

**WE WILL NOT** tell you that you cannot wear Union stickers, order you to remove Union stickers from your clothing, or otherwise prohibit you from wearing Union stickers at our facility.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**Tesla, Inc.**

(Employer)

**Date:** 3/22/19

**By:** (b) (6), (b) (7)(C)

**Title:** (b) (6), (b) (7)(C)

*The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website: [www.nlrb.gov](http://www.nlrb.gov).*

1301 Clay Street, Suite 300N  
Oakland, CA 94612-5224

Telephone: (510) 637-3300  
Hours of Operation: 8:30 a.m. to 5:00p.m.

**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced, or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the Board's Office, National Labor Relations Board, Region 32, Ronald V. Dellums Federal Building, 1301 Clay Street, Suite 300N, Oakland, CA 94612-5224, Telephone Number (510) 671-3034



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 32  
1301 Clay St Ste 300N  
Oakland, CA 94612-5224

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (510)637-3300  
Fax: (510)637-3315

Agent's Direct Dial: (510)671-3034

March 26, 2019

HENRY M. WILLIS, ATTORNEY AT LAW  
SCHWARTZ, STEINSAPIR, DOHRMANN & SOMMERS LLP  
6300 WILSHIRE BOULEVARD, SUITE 2000  
LOS ANGELES, CA 90048

Re: Tesla, Inc.  
Case 32-CA-231690

Dear Mr. Willis:

We have been advised that on March 22, 2019 the Employer posted the signed and dated Notice to Employees in this matter at the following locations:

- (1) Stinson Beach, 1-V-5
- (2) Break Room, 1-J-6
- (3) Plastics Café
- (4) Plastics Break Room
- (5) GA3 Café
- (6) North Paint Café
- (7) South Paint Café
- (8) North IT Café
- (9) Repack Café
- (10) EOL Break Room
- (11) S/X Café
- (12) 1-J-36 Break Room
- (13) 1-J-25 Break Room
- (14) Supercharger Trailer Break Room
- (15) South Lot Logistics Trailer Break Room
- (16) Reman Café
- (17) 2-Q-11 Break Room

- (18) Powertrain Café
- (19) Sales/Delivery Trailer Break Room
- (20) Admin. 1 Security Break Room

If you have any information to the contrary, you should inform me promptly. As you know, the Employer is obligated to keep the notices posted continuously for a period of 60 days from the date of posting.

Any complaints regarding posting or any other aspects of compliance in this matter should be promptly directed to this office, in writing, together with any evidence you may have.

Very truly yours,



PALOMA LOYA  
Compliance Officer

**CERTIFICATION OF COMPLIANCE**  
**(PART ONE)**

**DUE MARCH 29, 2019**

**RE: Tesla, Inc.**

**Case 32-CA-231690**

**(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)**

**Physical Posting**

The signed and dated Notice to Employees in the above matter was posted on

(date) March 22, 2019 at the following locations: (List specific places of posting)

1. Stinson Beach, 1-V-5; 2. 1-J-6, Break Room; 3. Plastics Cafe; 4. Plastics Break Room;

5. GA3 Cafe; 6. North Paint Cafe; 7. South Paint Cafe; 8. North IT Cafe; 9. Repack Cafe;

10. EOL Break Room; 11. S/X Cafe; 12. 1-J-36, Break Room; 13. 1-J-25, Break Room; 14.

Supercharger Trailer Break Room; 15. South Lot Logistics Trailer Break Room;

16. Reman Cafe; 17. 2-Q-11 Break Room; 18. Powertrain Cafe; 19. Sales / Delivery Trailer

Break Room; 20. Admin. 1 Security Break Room.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

**CHARGED PARTY/RESPONDENT**

By: \_\_\_\_\_

**(b) (6), (b) (7)(C)**

Title: \_\_\_\_\_

**(b) (6), (b) (7)(C)**

Date: \_\_\_\_\_

**March 25, 2019**

This form should be returned to the Regional Office, together with **ONE** original Notice, dated and signed in the same manner as those posted. If the Certification of Compliance Part One and *color-scanned* signed Notice are returned via e-file or e-mail to [Paloma.Loya@nrlb.gov](mailto:Paloma.Loya@nrlb.gov), no hard copies of the Certification of Compliance Part One or Notice are required.

**CERTIFICATION OF COMPLIANCE**  
**(PART TWO)**

**DUE 3 DAYS AFTER COMPLETION**

**RE: Tesla, Inc.**  
**Case 32-CA-231690**

**Notice Reading**

The Notice to Employees in the above captioned matter was read on date(s) 4/22/19 for (b) (6), (b) (7) and 4/4/19 for (b) (6), (b) (7) at time(s) 5:30 a.m. for (b) (6), (b) (7), and 5:30 a.m for (b) (6), (b) (7).  
by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to all Production Associate employees that (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), and are employed at the Employer's facility located at 45500 Fremont Blvd, CA. Evidence of the reading is attached.

**Training**

The Production Supervisor Training on Section 7 of the National Labor Relations Act, including the right to wear Union-sponsored stickers at the Employer's facility was held on date(s) 4/2/18 - 5/17/19, see attached. Evidence of the training is attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

By:

**(b) (6), (b) (7)(C)**  
**(b) (6), (b) (7)(C)**

Date: May 20, 2019

This form should be returned to the Regional Office. If the Certification of Compliance Part Two is returned via e-file or e-mail to [Paloma.Loya@nlrb.gov](mailto:Paloma.Loya@nlrb.gov), no hard copy of the Certification of Compliance Part Two is required.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 32  
1301 Clay St Ste 300N  
Oakland, CA 94612-5224

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (510)637-3300  
Fax: (510)637-3315

June 19, 2019

JAIME BODIFORD, ESQ.,  
SENIOR COUNSEL, EMPLOYMENT  
TESLA, INC.  
901 PAGE AVE  
FREMONT, CA 94538

Re: Tesla, Inc.  
Case 32-CA-231690

Dear Ms. Bodiford:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

A handwritten signature in black ink that reads "Valerie Hardy-Mahoney". The signature is written in a cursive, flowing style.

Valerie Hardy-Mahoney  
Regional Director

cc: KEVIN KASSEKERT  
TESLA, INC.  
901 PAGE AVENUE  
FREMONT, CA 94538

BRAD BINGHAM, UNION REP.  
UNITED AUTOMOBILE, AEROSPACE  
AND AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA, UAW  
8000 E. JEFFERSON AVENUE  
DETROIT, MI 48214

HENRY M. WILLIS, ATTORNEY  
SCHWARTZ, STEINSAPIR, DOHRMANN  
& SOMMERS LLP  
6300 WILSHIRE BLVD, SUITE 2000  
LOS ANGELES, CA 90048